

**CITY OF BRAWLEY**  
**July 19, 2011**

The City Council of the City of Brawley, California met in a Regular Meeting at 6:00 PM, Council Chambers, 383 Main Street, Brawley, California, the date, time and place duly established for the holding of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. §54954.2.

The meeting was called to order by *Mayor Campbell* @ 6:05 PM

The invocation was offered by *Pastor Ronnie Valenzuela, Harvest Time Church*

The pledge of allegiance to our flag was led by *CM Nava*

**PRESENT:** Campbell, Couchman, Miranda, Nava

**ABSENT:** Kelley

**APPROVAL OF AGENDA**

The agenda was *approved* as amended. m/s/c Miranda/Couchman 4-0

*Item 4-c* HOME Investment Partnership Program Grant Application for Fiscal Year 2011 to Apply for \$300,000.00 in HOME grant funds for rental new construction project *was moved from consent agenda to regular business for discussion and approval.*

*Item 4-h* Approval of Amendment No. 1 to agreement of Cleaning Services and Supply of Janitorial Materials agreement with Mylo Janitorial, Inc., for eight (8) City Facilities *was moved from consent agenda to regular business for discussion and approval.*

**AYES:** Campbell, Couchman, Miranda, Nava

**NAYES:** None

**ABSTAIN:** None

**ABSENT:** Kelley

**1. PUBLIC APPEARANCES/COMMENTS**

*Roy Livingston* stated that in regards to the City Manager, based in the IV Press published on June 29, 2011 the salary and severance package is obnoxious and atrocious when the council is asking voters to extend the Utility Users Tax this is not the City of Bell. I encourage the council not to pay the new City Manager more than the highest annual income of an individual here in Brawley and to be very careful in your selection. I am looking forward to the hiring of the new City Manager. Money is tight and we do not need to give a severance pay we need to use funds for street pavement and alleys.

*Mayor Campbell* the Council will do its due diligence to protect the City.

## **2. PRESENTATIONS/PROCLAMATION**

### **a. PROCLAMATION PRESENTED TO ORBIA HANKS**

*Mayor Campbell* presented a proclamation for Orbia Hanks' and was accepted by his son.

### **b. UPDATE ON IMPERIAL VALLEY ENTERPRISE ZONE – DIANE CASON, IMPERIAL VALLEY ENTERPRISE ZONE MANAGER.**

*IVEZ Manager Diane Cason* showed a power point presentation.

*CM Nava* asked when the public calls what is they looking for. *Answer:* They are looking for EZ incentives and packages. (*Cason*)

### **c. UPDATE ON WASTEWATER TREATMENT PLANT PROJECT – DAVE BACHTEL, LEE & RO.**

*Staff Report - Yazmin Arellano, Public Works Director*

The Wastewater Treatment Plant is about 80% completed.

*Lee & Ro Dave Bachtel* showed a power point presentation.

## **3. DEPARTMENTAL REPORTS**

*LD Mello* stated that they have an average of 135 people at story time and will have a big party the last Friday in July.

## **4. CONSENT AGENDA**

The consent agenda was *approved* as followed: m/s/c Miranda/Couchman 4-0

**AYES:** Campbell, Couchman, Miranda, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Kelley

- a. *Approval* of Accounts Payable Registers June 30, 2011 and July 7, 2011
- b. *Approve* HOME Investment Partnership Program Grant Application for Fiscal Year 2011 to Apply for \$500,000.00 in HOME grant funds for owner-occupied rehabilitation.
- c. *Approve* donation of Historic Assessment Books and authorize the City Clerk to transfer ownership.

- d. **Approval** of City Council to go dark for the month of August 2011.
- e. **Approval** of the fund balance policy for the Governmental Funds and Approve Resolution No. 2011-34: Resolution of the City Council of the City of Brawley, California Classifying the various components of fund balance as defined in governmental accounting standards board statement No. 54.
- f. **Approve** changes to “Guidelines for use of Public Facilities” to include road closure requests.
- g. **Approve** of Amendment No. 2 to Imperial County Humane Society Agreement.

## **5. PUBLIC HEARING**

- a. **PUBLIC HEARING: DISCUSS/APPROVE REDEVELOPMENT PLAN FOR REDEVELOPMENT PROJECT NO. 1, AS AMENDED, TO EXTEND, WITH RESPECT TO ITS ORIGINAL PLAN COMPONENT AREA, THE TIME LIMIT ON THE EFFECTIVENESS AND THE TIME LIMIT TO REPAY INDEBTEDNESS OR RECEIVE PROPERTY TAXES BY TWO YEARS PURSUANT TO SENATE BILL 1096 AS CODIFIED IN HEALTH AND SAFETY CODE § 33333.6(E).**

*Staff Report - Ruby Walla, Finance Director and Dennis H. Morita, City Attorney*

That Council adopt resolution making certain findings with respect to the use of redevelopment funds to finance the cost of certain public facilities that are benefit to the redevelopment project area.

*ICM Gillmore* stated that due to CRA audit this resolution corrects some of those issues that deal with projects we committed prior.

*FD Walla* mentioned the following projects: Police Department Lockers, Asphalt Rehab, and Fire Station and that councils finds recommendations to use these funds.

*CA Morita* said that originally the City had confirmed these as permissible and recommending to go forward.

***PUBLIC HEARING OPENED @ 6:45 PM***

There were no written comments received by the City Clerk and no one present to comment.

***PUBLIC HEARING CLOSED @ 6:50 PM***

The council *motioned* to approve **RESOLUTION NO. 2011-35: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA MAKING CERTAIN FINDINGS WITH RESPECT TO THE USE OF REDEVELOPMENT FUNDS TO FINANCE THE COST OF CERTAIN PUBLIC FACILITIES OF BENEFIT TO**

**REDEVELOPMENT PROJECT AREA NO. 1, AS AMENDED.** m/s/c Miranda/Couchman  
4-0 Kelley absent

AYES: Campbell, Couchman, Miranda, Nava  
NAYES: None  
ABSTAIN: None  
ABSENT: Kelley

The council *motioned* to adopt 1st Reading of **ORDINANCE NO. 2011-04 : ORDINANCE OF THE CITY OF BRAWLEY, CALIFORNIA AMENDING THE REDEVELOPMENT PLAN FOR REDEVELOPMENT PROJECT NO. 1, AS AMENDED, TO EXTEND, WITH RESPECT TO ITS ORIGINAL PLAN COMPONENT AREA, THE TIME LIMIT ON THE EFFECTIVENESS AND THE TIME LIMIT TO REPAY INDEBTEDNESS OR RECEIVE PROPERTY TAXES BY TWO YEARS PURSUANT TO SENATE BILL 1096 AS CODIFIED IN HEALTH AND SAFETY CODE §33333.6(E).** m/s/c Miranda/Nava 4-0  
Kelley absent

AYES: Campbell, Couchman, Miranda, Nava  
NAYES: None  
ABSTAIN: None  
ABSENT: Kelley

## **6. REGULAR BUSINESS**

### **a. HOME INVESTMENT PARTNERSHIP PROGRAM GRANT APPLICATION FOR FISCAL YEAR 2011 TO APPLY FOR \$300,000.00 IN HOME GRANT FUNDS FOR RENTAL NEW CONSTRUCTION PROJECT.**

*Staff Report – Francisco Soto, Building Official*

The city would like to apply for \$3,000,000 HOME grant funds for a rental new construction project. The project proposal is owned by Chelsea Investment and is the Adams Subdivision located on 1600 Block of C Street with approximately 79 mobile home units.

The council *motioned* to approve **RESOLUTION NO. 2011-36: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OF ANY RELATED DOCUMENTS NECESSARY TO PARTICPATE IN THE HOME INVESTMENT PARTNERSHIPS PROGRAM.** m/s/c Nava/Miranda 4-0

AYES: Campbell, Couchman, Miranda, Nava  
NAYES: None  
ABSTAIN: None  
ABSENT: Kelley

**b. APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT OF CLEANING SERVICES AND SUPPLY OF JANITORIAL MATERIALS AGREEMENT WITH MYLO JANITORIAL, INC., FOR EIGHT (8) CITY FACILITIES.**

*Staff Report - Yazmin Arellano, Public Works Director*

Mylo Janitorial Inc. provides cleaning services and supplies of janitorial and is asking for an extension of their agreement.

*CM Miranda* asked if we go out to bid when we're going over a certain amount and we they are asking for a 2 year extension? *Answer:* Yes, to both questions we did bid that last year. (*Arellano*)

*ICM Gillmore* stated Mr. Lovio had served the city for several years.

*CM Couchman* said that the requirement to bid out is after 2 years under federal level.

*CA Morita* mentioned that the city procurement process will permit this process.

The council *motioned* to approve Amendment No. 1 to agreement of Cleaning Services and Supply of Janitorial Materials agreement with Mylo Janitorial, Inc., for eight (8) City Facilities. m/s/c Nava/Couchman 4-0

**AYES:** Campbell, Couchman, Miranda, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Kelley

**c. APPROVE RESOLUTION NO. 2011-37: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA APPROVING A PLEDGE AGREEMENT AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO.**

*Staff Report – Ruby Walla, Finance Director*

The pledge agreement is an agreement between the City and the Authority whereby the City agrees to pledge the Brawley Sales Tax Revenues for repayment of the bonds and assigns such Brawley sales tax revenues to the bond trustee as long as the bonds are outstanding.

*ICM Gillmore* said the bonding issues using Measure D funds are conjoined with the County and applied to City street projects.

*Mayor Campbell* stated that Measure D funds are managed through the County.

*FD Walla* mentioned that basically it is to get together with other cities and use these funds for street projects.

**Mayor Campbell** asked if this is to partner up with other entities? **Answer:** Yes (**Walla**)

**IC Carmen Vargas** said we are offering estimates in order to give all different parties who are interested a chance. The fees for the services are comfortable at this time.

**CM Nava** asked can you give us an estimate on your charge? **Answer:** About \$9.00 a bond which is a conservative estimate. (**Vargas**)

**CM Nava** asked about how much for bonds? **Answer:** \$11.2 million which is about 100,000 and includes a fixed cost for management fee. (**Vargas**)

**CM Nava** stated that he was concerned about the cost.

**CM Couchman** asked if other cities from the valley were participating? **Answer:** Yes, and so far the City of Westmorland will not participate. (**Vargas**)

**ICTC Mark Basra** said they are managing the funds. We have received positive feedback to the extent that if some don't participate an adjustment will be made.

The council *motioned* to approve **RESOLUTION NO. 2011-37: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA APPROVING A PLEDGE AGREEMENT AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO.** m/s/c Couchman/Miranda 4-0 Kelley absent

**AYES:** Campbell, Couchman, Miranda, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Kelley

**d. DISCUSSION/ACTION ON SPEED BUMPS ALONG JULIA DRIVE.**

**ICM Gillmore** stated that we mailed notices to all residents on Julie Drive and the surrounding streets and this was put on the agenda per CM Kelley.

**Mayor Campbell** said that he understands and if it's possible for the City to go in and put in caution signs or something like children playing signs can help slow down traffic.

**Carlton King** mentioned that he is not an advocate for residents and that all his is asking for is stop signs to be put up and not speed bumps.

**CM Nava** stated that staff didn't suggest that. Speed bumps would not be good at Julia Drive but maybe some kind of signs.

**ICM Gillmore** offered some suggestions for Julia Drive like some kind of striping and signs that may cause people to slow down.

**CM Miranda** asked if we could put up temporary signs.

**Mrs. Clayton resident of the corner of Julia and Willard Avenue** said she is not in favor of speed bumps but some kind of signs to slow down traffic.

**CM Couchman** said that was discussed at the last meeting but we never made a decision to install speed bumps that's why we wanted for Julia Drive residents to attend the for suggestions.

**Mrs. Clayton** asked if the development or bonding company was to finish the road before the condos development. **Answer:** The development is under a new developer and is in legal issues with the bonding company. (**Mayor Campbell**)

**ICM Gillmore** stated that currently we are working with that project and the bonding company in a legal issue.

**Wayne Harvie of Julia Drive** said that speed bumps killed one (1) person in the City and so I suggest do not install any in the City.

**Mr. King** said in the meantime why don't you install stop signs and once the development finishes they can be removed.

**CM Couchman** suggested into looking at striping, put up stop signs first for like 30 days and let's just take it a step at a time.

**ICM Gillmore** this agenda talks about speed bumps but we will look into installing signs right? **Answer:** Yes, that can be done. (**Morita**)

**e. UPDATE/DISCUSSION ON ECONOMIC DEVELOPMENT ACTIVITIES AND STRATEGY.**

**Staff Report - Teresa Skrepenski, Economic Development and Redevelopment Program Coordinator**

A power point presentation was presented.

**f. DISCUSSION/NEW PRESENTATION ON UTILITY USER TAX BALLOT MEASURES.**

**ICM Gillmore** said **CM Kelley** asked for this to be placed on the agenda. Basically this is just to inform the public has said they don't want us to run the campaign.

**CM Miranda** stated that he has been meeting with different clubs and the public to do the dos and don'ts. The Chamber was supposed to pick it up from the beginning but I haven't heard anything from them.

**CM Nava** mentioned that the presentation should be put online to the public.

*ICM Gillmore* said that was a good point.

*FD Walla* stated that it's on the website.

*Jay Krugger* mentioned that if you are asking the Chamber and businesses to support it you really need to put on a really good presentation. The Chamber members are business owners and make a big impact.

**g. DISCUSSION/ACTION ON VOTING ALTERNATE FOR 2011 ANNUAL LEAGUE OF CITIES CONFERENCE IN SAN FRANCISCO FROM SEPTEMBER 21-23, 2011.**

*Mayor Campbell* said that at last meeting the voting alternate was discussed but not voted on so that's why it's on again. The alternate will be CM Couchman.

The council *motioned* to approve on voting an alternate for the 2011 Annual League of Cities Conference in San Francisco from September 21-23, 2011. m/s/c Nava/Miranda 4-0 Kelley absent

**AYES:** Campbell, Couchman, Miranda, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Kelley

**h. ADOPT RESOLUTION NO. 2011- : RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA APPOINTING MEMBERS TO FILL TERMS ON THE AIRPORT COMMISSION AND THE PLANNING COMMISSION.**

This item was tabled until the 1<sup>st</sup> meeting of September.

**7. COUNCIL MEMBER REPORTS**

- a. *CM Miranda* stated he will be out of town all next week to attend a workshop in Washington, D.C.
- b. *CM Nava* said the Film Commission held a Harry Potter premier fundraiser and it was good.

**8. INTERIM CITY MANAGER REPORT** There was none to report

**9. ADJOURNED TO CLOSED SESSION**



**REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY.**

None to report

**ADJOURNMENT** @ 8:05 PM

*Alma Benavides*